

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

ROBERT REICH, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. 78 C 342 <sup>1</sup>
	)	
ESTATE OF FRANK E. FITZSIMMONS,	)	
et al.,	)	
	)	
Defendants.	)	
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RAY MARSHALL,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 78 C 4075 <sup>1</sup>
	)	
LORAN W. ROBBINS, et al.,	)	
	)	
Defendants.	)	
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ALEXIS M. HERMAN,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 82 C 7951 <sup>1</sup>
	)	
ALLEN M. DORFMAN, et al.,	)	
	)	
Defendants.	)	

MEMORANDUM

This Court has regularly received, and has just as regularly reviewed in detail, the thorough quarterly reports submitted by

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<sup>1</sup> It appears from the dockets in these cases that no entries have been made to reflect the automatic substitutions of parties called for by Fed. R. Civ. P. 25(d) when successive changes in the identity of the Secretary of Labor have occurred over the years. That is perhaps unsurprising, given the fact that the lawsuits have long since been closed, with the only ongoing activity being the monitoring of the consent decrees referred to in the text. This memorandum has simply retained the case names as shown in the docket headings.

Honorable Frank J. McGarr, serving as the Independent Special Counsel appointed pursuant to the consent decrees in the above-captioned cases. Those reports reflect Board of Trustees actions that have been fully sensitive and responsive to the last several years' economic difficulties confronting the entire country.

Because this Court inherited from a departing colleague the function of receiving and reviewing Judge McGarr's<sup>2</sup> detailed informative submissions, it has been and is unaware of the appropriate protocol--whether formal approval of those reports is called for, or whether instead its required role is that suggested by the manner in which Judge McGarr concludes each of his reports:

I will be glad to provide additional details regarding any aspect of my activities as Independent Special Counsel. Should you have any questions or comments, please do not hesitate to contact me.

If the latter is the case, Judge McGarr's meticulous handling of his responsibilities has obviated any need for further questioning or commentary. If the former alternative is more

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<sup>2</sup> This Court is of course well aware of the limitations placed by the Code of Conduct for United States Judges on continued use of the honorific "Judge" by former members of the judiciary. Judge McGarr adheres to those standards just as meticulously as he performs his function as Independent Special Counsel: His reports are submitted on his regular letterhead, which lists him simply as "Frank J. McGarr, Esq." This memorandum's different usage simply reflects this Court's great respect for its former colleague, under whose distinguished Chief Judgeship this Court was honored to serve during his entire tenure in that capacity.

appropriate, this Court is pleased to approve each of the reports that it has received, and it hereby confirms such approval.

A handwritten signature in black ink, reading "Milton I. Shadur". The signature is written in a cursive, flowing style with a large initial 'M'.

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Milton I. Shadur  
Senior United States District Judge

Date: June 21, 2011